

COMMISSIONERS APPROVAL

CHILCOTT *g*

LUND *BL*

THOMPSON

TAYLOR (Clerk & Recorder)

Date.....July 31, 2006

Members Present.....Commissioner Greg Chilcott,
Commissioner Betty Lund and Commissioner Alan Thompson

Minutes: Glenda Wiles

The Board of County Commissioners met to hear a proposal to relocate the boundaries of three tracts within property owned by Don Stephens and Tori Nobles. Surveyor Steve Powell represented the applicants and indicated Don and Tori have owned these three parcels for quite some time. Tori's grandparents created these tracts for family planning purposes. One tract was sold to a neighbor and the agricultural covenant was released on the tract that has the main house. They would like to move the boundary of one of the five-acre tracts to the northwest corner. This will increase the number of acres on the tract of land that has the agricultural covenant and no additional building lots will result from this boundary line relocation. The northwest corner lot would not be restricted by the agricultural covenant and at some time could be reviewed by DEQ in order to have a marketable lot. Currently there is a five-acre lot that could be reviewed by DEQ, and this piece will now be part of the agricultural covenant. The build-able tract is being moved to the northwest corner.

Clerk and Recorder Nedra Taylor and Deputy Clerk and Recorder Linda Biesel indicated the agricultural covenant was their main concern on this boundary line relocation. Commissioner Chilcott stated his concern is creating a build-able lot, but sees that the area above the house does not lend itself well to a house location.

Commissioner Thompson and Commissioner Chilcott stated they do not see any impacts that are being changed from the current lot configuration. Steve stated he can prepare the survey map, then the covenant can be lifted and DEQ can approve a new agricultural covenant. Steve stated nothing would be recorded until it is complete. Nedra stated all the documents need to be brought to them at one time and sequentially they would record the lifting of the agricultural covenant and relocation of the lot lines.

Commissioner Chilcott stated they need to follow the procedure and asked if this land is considered prime agricultural land. Steve stated the land is all very similar. Commissioner Chilcott stated they are not creating another build-able lot thus they are

not violating the public process. Steve stated he can meet with Planning and make sure there are covenants in place on the northwest lot for defensible space.

Commissioner Lund stated she has a problem with this change because they have rejected some of these like proposals in the past. She stated she needs to go on site and look at this proposal.

Planning Director Karen Hughes was now present. She stated the restrictions are tied to the land so the agricultural covenant can not be swapped. She stated the covenant would need to be lifted first then moved to another location. She stated she has not prepared any staff report and is not prepared to delve into further discussion. Civil Counsel James McCubbin was now present. He agreed the Commissioners have the discretion to lift an agricultural covenant. The issue is the creation of a buildable lot. If there are no additional lots being created, then it is within their discretion.

It was agreed to allow Commissioner Lund to make a site visit and this will be re-scheduled for a staff report by Karen.

The Board then met to review a request for revocation of agricultural covenant for the Kyle Paddock proposal. Planning Director Karen Hughes presented the request.

Karen stated the recommended motion is the agricultural covenant be revoked and filed simultaneously with the proposed aggregation. Karen stated her office has processed the request for the wastewater exemption for the shop with a bathroom, the revocation of the agricultural covenant on the Kyle tract, the request to aggregate the agricultural tract to the Kyle property and the request for a boundary line relocation to acquire the adjoining 8-acres from the Paddocks. However, they have not finalized these requests and will not do so until the Commissioners make the decision to revoke the covenant and aggregate the lots.

Public comment was called for. None was brought forth.

Commissioner Thompson made a motion that the agricultural covenant be revoked and filed in simultaneously with the proposed aggregation. Commissioner Lund seconded the motion and all voted "aye".

The Board met in regard to the decision on the release of Wildflower Subdivision Improvement Guarantee Security monies. Present was Planner Ben Howell. Based on the letter from the Planning Department recommending the release of these monies, and the letter from Land Works Engineering and Hamilton Fire Department stating the requirements have been met, Commissioner Thompson made a motion to release the Improvement Guarantee Security monies on the Wildflower Subdivision. Commissioner Chilcott seconded the motion and all voted "aye". Commissioner Lund was not present for this discussion or vote.

The Commissioners attended a Planning and Zoning Commission meeting. Minutes of that meeting are as follows:

PLANNING AND ZONING COMMISSION
JULY 31, 2006

MEMBERS PRESENT:

Commissioner Greg Chilcott
Commissioner Alan Thompson
Commissioner Betty Lund
Treasurer JoAnne Johnson
Citizen Member Paul Snyder
Citizen Member Sue Major
Planning Director Karen Hughes

PERSONNEL PRESENT:

Glenda Wiles – Minutes

Karen Hughes stated this Commission needs to be 'started up' again. Introductions were made.

Karen presented an overview of the Voluntary Zoning Districts/Citizen Petitioned Zoning. She explained the two types of zoning and the process to create the Voluntary Zoning Districts. She also explained the responsibilities of the Planning and Zoning Commission, which includes adopting a development pattern for the physical and economic development of the planning and zoning district.

It was agreed that bylaws and officers need to be set up. Karen stated she will write up a set of bylaws to be reviewed and approved at the next meeting. Sue made a motion to nominate Karen as the presiding officer. JoAnne seconded the motion and all voted "aye".

Karen noted there are two upcoming zoning district proposals:

- Rippling Woods – in Victor
- Yerian-Mihara – in Corvallis

Both are in different points in the process.

It was agreed to meet as needed. The secretary will be a member of staff such as Glenda Wiles, Sally Fortino or Jennifer DeGroot.

The meeting was adjourned.

The Board met in regard to various administrative matters as follows:

- Signature for CDBG GSK Grant monies – Commissioner Lund made a motion to sign the contract (MT-CDBG-ED06-07). Commissioner Thompson seconded the motion and all voted “aye”.
- Commissioner Lund made a motion to approve of the following budget transfers:
 1. Resolution No. 1951 which is a transfer of funds within the Clerk and Records Office
 2. Resolution No. 1952 which is a transfer of funds in the Treasurers Office
 3. Resolution No. 1953 which is a transfer of funds in the Treasurers Office
 4. Resolution No. 1954 which is a transfer of funds in the Clerk of Court’s Office
 5. Resolution No. 1955 which is a transfer of funds in the Planning Office
 6. Resolution No. 1956 which is a transfer of funds in the County Attorney’s Office
 7. Resolution No. 1957 which is transfer of funds in the County Attorney’s Office
 8. Resolution No. 1958 which is a transfer of funds in the Airport budget
 9. Resolution No. 1959 which is a transfer of funds in the Sheriff’s Office
 10. Resolution No. 1960 which is a transfer of funds in the County Attorney’s Office

Commissioner Thompson seconded the motion and all voted “aye”.